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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2010-518

13 **MARTHA COE PARKER**  
36 Catalpa Avenue  
Mill Valley, CA 94941

**ACCUSATION**

14 **Registered Nurse License No. RN 265977**  
15 **Public Health Nurse License No. PHN 36230**  
**Nurse Practitioner License No. NP 13687**

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
22 of Consumer Affairs.

23 2. On or about May 31, 1976, the Board of Registered Nursing issued Registered Nurse  
24 License Number RN 265977 to Martha Coe Parker (Respondent). The Registered Nurse License  
25 was in full force and effect at all times relevant to the charges brought herein and will expire on  
26 September 30, 2011, unless renewed.

27 3. On or about May 29, 1984, the Board of Registered Nursing issued Public Health  
28 Nurse License Number PHN 36230 to Respondent. The Public Health Nurse License was in full

1 force and effect at all times relevant to the charges brought herein and will expire on September  
2 30, 2011, unless renewed.

3 4. On or about August 23, 2002, the Board of Registered Nursing issued Nurse  
4 Practitioner License Number NP 13687 to Respondent. The Nurse Practitioner License was in  
5 full force and effect at all times relevant to the charges brought herein and will expire on  
6 September 30, 2011, unless renewed.

### 7 8 JURISDICTION

9 5. This Accusation is brought before the Board of Registered Nursing (Board),  
10 Department of Consumer Affairs, under the authority of the following laws. All section  
11 references are to the Business and Professions Code unless otherwise indicated.

12 6. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent  
13 part, that the Board may discipline any licensee, including a licensee holding a temporary or an  
14 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
15 Nursing Practice Act.

16 7. Section 2764 of the Code provides, in pertinent part, that the expiration of a license  
17 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the  
18 licensee or to render a decision imposing discipline on the license.

19 8. Section 118, subdivision (b), of the Code provides that the expiration of a license  
20 shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period  
21 within which the license may be renewed, restored, reissued or reinstated.

22 9. Section 2761 of the Code states:

23 "The board may take disciplinary action against a certified or licensed nurse or deny an  
24 application for a certificate or license for any of the following:

25 "(a) Unprofessional conduct . . . "

26 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
27 administrative law judge to direct a licentiate found to have committed a violation or violations of  
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1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
2 enforcement of the case.

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4 CAUSE FOR DISCIPLINE

5 (Unprofessional Conduct – Patient Abuse)

6 11. Respondent is subject to disciplinary action under section 2761(a) in that she acted  
7 unprofessionally. The circumstances are as follows:

8 12. On or about September 29, 2004, Respondent was employed as the school nurse at  
9 John Muir Elementary School in San Francisco, California. A seven year-old student had been  
10 unable to control himself, possibly due to missed medication. The child was sent to the nurse's  
11 office to have his medication and to sit quietly. Respondent offered to read with the child, but the  
12 child remained uncooperative and unfocused. Respondent told the child to "stop it" and slapped  
13 his left cheek with her right hand.

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15 PRAYER

16 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
17 and that following the hearing, the Board of Registered Nursing issue a decision:

18 1. Revoking or suspending Registered Nurse License Number RN 265977, issued to  
19 Martha Coe Parker.

20 2. Revoking or suspending Public Health Nurse License Number PHN 36230, issued to  
21 Martha Coe Parker.

22 3. Revoking or suspending Nurse Practitioner License Number NP 13687, issued to  
23 Martha Coe Parker.

24 4. Ordering Martha Coe Parker to pay the Board of Registered Nursing the reasonable  
25 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
26 Code section 125.3.

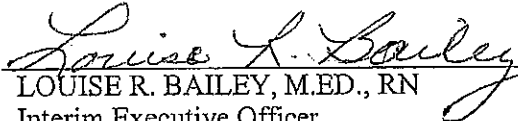
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5. Taking such other and further action as deemed necessary and proper.

DATED: 4/20/10

  
LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

SF2010400440